

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

DOCKET NO. 99-844

MARCH 14, 2001

CATHANCE MOBILE HOME AND TRAILER PARK
Appeal of Consumer Assistance Division
Decision #1999-6527 Regarding
Brunswick and Topsham Water District

ORDER

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

I. SUMMARY OF DECISION

We grant a waiver to permit Harold D. Sandelin, DBA Cathance Mobile Home and Trailer Park (Park), to obtain water service from the Brunswick and Topsham Water District water main in Canam Drive. The Park will be served through a private line to be constructed, owned, and maintained by the Park. The service will be metered at Canam Drive and the Park will pay for all water that passes through the meter. The Park must provide housing, acceptable to the District, for the meter and any backflow prevention devices that may be required.

II. BACKGROUND

On April 9, 1999, Harold D. Sandelin, President, Cathance Mobile Home Park, complained to our Consumer Assistance Division (CAD) that the District refused to serve the Park from the 8" service line installed to serve the new MSAD 75 Middle School (School) located on Republic Avenue (off Canam Drive) in Topsham. The District instead required the Park to be served by a 900-foot, 12-inch water main extension along Route 201 and a 2,234-foot, 8-inch water main extension along the Old Augusta Road. The estimated cost of the main extension was \$200,000 to \$250,000, which compared with an estimated cost of \$6,200 to obtain service from the end of the School's water service line. The Park had obtained an easement from the School.

On November 22, 1999, the CAD issued its decision that a water main extension, along Route 201 and Old Augusta Road to the entrance of the Park, was required in order to obtain water service from the District. Mr. Sandelin then appealed the CAD decision.

On January 10, 2000, the Commission considered the appeal. The Commission expressed its concern that it would be unreasonable to require the Park be served through a \$250,000 main extension when it could obtain service through a private line costing \$6,200. The Commission instructed its Staff to work with the District and Mr. Sandelin to determine an acceptable alternative method to serve the Park at a reasonable cost. The Commission, at that time, indicated that it was prepared to grant the Park a waiver of Chapter 650, Water Main Extension and Service Line Rule, to permit the Park's proposed 54 units to be served from the School service line under the following conditions: 1) the School service line would become a District water main; and 2) the Park would be required to pay a customer contribution to any main extension along the 900 feet of Route 201 and/or along the 2,234 feet of the Old Augusta Road.

The District did propose alternative methods of serving the Park, but each was rejected by Mr. Sandelin. On May 5, 2000, the District notified the Commission of its unsuccessful attempt to resolve the issue.

On September 28, 2000, Commission Staff met with representatives of the District, the School, and the Park. All participants were reminded that the Commission was prepared to grant a waiver to permit service to a 54 unit mobile home park through a connection to the School service line, which would become a District main. Mr. Sandelin then indicated that limiting service to 54 units was unacceptable. He expressed his desire to be able to expand the Park by as many as 100 units. Mr. Sandelin requested that he be given additional time to reconsider alternative means of supplying the Park.

Mr. Sandelin subsequently indicated that he would like to obtain service from the 12-inch main in Canam Drive. The private line would be connected to the service drop, installed to serve Tax Map Lot 44-A, and would run across Lot 44-A into the Park property. The private line will be sized to provide adequate service for the anticipated number of units and could be used to serve the potential expansion of the Park onto Lots 42 and 44-A. Mr. Sandelin estimates that this alternative will cost \$10,000 to \$12,000 if he does the work himself or \$25,000 if done by a contractor.

The District, by letter dated October 20, 2000, summarized the September 28, 2000 meeting and restated its opinion that the Park should be served through a water main extension in Route 201 and Old Augusta Road. In support of its position the District noted the following information:

1. Mr. Sandelin now owns close to 90 acres in this area, which could all be served by the District's proposed water main extension.

2. Mr. Sandelin's property fronts the entire length of the proposed route of the water main extension.
3. Mr. Sandelin has clearly stated his intentions on expanding his existing mobile home park by an additional 100 lots.
4. Mr. Sandelin has clearly stated his intentions to develop other uses, including commercial, on his property.
5. Mr. Sandelin has stated that granting an exemption to serve only his presently approved 54 lots is now unacceptable.
6. Mr. Sandelin is now requesting the exemption to apply to an alternate route other than from MSAD #75 Middle School's 8-inch service line due to conditions required by MSAD #75.
7. The main extension route proposed by the Water District will provide fire protection benefits, allow service to be available to other property owners, and allow for easier access to future extensions along Route 201 beyond the Old Augusta Road, all in accordance with the provisions and intentions of Chapter 650.

III. DECISION

In balancing the current and proposed water supply needs of the Park against our well established principles for water main extensions and service lines, we must consider: a) the \$10,000 to \$25,000 cost of the proposed private line versus the \$250,000 cost of the District's proposed main extension; b) all, or most of the developable land, between Route 201, Canam Drive, the Cathance River, and the Old Augusta Road, is owned by Mr. Sandelin; and c) future development of Sandelin property will require water main extensions, pursuant to Chapter 650, at the developer's expense.

We have considered the information provided by Mr. Sandelin and the District and will grant a waiver of Chapter 650 to permit and require the District to serve the Park through the existing 6-inch service drop connected to the District's 12-inch main in Canam Drive. It is the Park's responsibility to provide housing, acceptable to the District, for the meter and any necessary backflow prevention device(s). The meter and backflow prevention device(s) shall be located at the point where the Park's private line connects to the service drop. This approval is only for service to the Park.

Accordingly, we

O R D E R

1. That the Cathance Mobile Home and Trailer Park is granted a waiver of Chapter 650, Water Main Extension and Service Line Rule, to permit it to obtain water service through a private line connected to the Brunswick and Topsham Water District main in Canam Drive.
2. That the Cathance Mobile Home and Trailer Park must provide housing, acceptable to the District for the installation of the meter and necessary backflow prevention device.
3. That the Cathance Mobile Home and Trailer Park must pay for all water passing through the meter and will own and maintain the private line.

Dated at Augusta, Maine this 14th day of March 2001.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Nugent
 Diamond